

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**IRA WAYNE CLONIGER,**  
**Plaintiff,**

**v.**

**VIRGINIA DEPARTMENT OF  
CORRECTION,**  
**Defendant.**

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**Civil Action No. 7:12-cv-00065**

**ORDER**

**By: Hon. Michael F. Urbanski**  
**United States District Judge**

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that plaintiff's complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C.

§ 1915A(b)(1); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims in a new and separate action.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the plaintiff.

Entered: February 9, 2012

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge